

MAY 30 2002 4:34 PM

858.792-6773 FOLEY AND LARDNER

NO. 9100 P. 1

# FOLEY & LARDNER

ATTORNEYS AT LAW

11250 EL CAMINO REAL, SUITE 200  
SAN DIEGO, CA 92130  
P.O. BOX 80278  
SAN DIEGO, CALIFORNIA 92138-0278  
TELEPHONE: 858.847.6700  
FACSIMILE: 858.792.6773  
WWW.FOLEYLARDNER.COM

## FACSIMILE TRANSMISSION

Total # of Pages 13 (including this page)

TO:	PHONE #:	FAX #:
Examiner C. Collins U.S. Patent & Trademark Office		(703) 746-5032

From : Barry S. Wilson
Email Address : bwilson@foleylaw.com
Sender's Direct Dial : 858.847.6722
Date : May 30, 2002
Client/Matter No : 071344-0302
User ID No : 3067

### MESSAGE:

Re: U.S. Patent Application Serial No.: 09/491,322  
Filed: January 25, 2000  
Title: METHOD OF USE OF TRANSGENIC PLANT  
EXPRESSED ANTIBODIES (as amended)  
Inventor(s): Hein et al.  
Scripps Ref. No.: TSRI184.2DIV-1  
Attorney Docket No.: EPI3007F

PLEASE SEE THE ATTACHED AMENDMENT FILING IN CONNECTION WITH THE  
ABOVE-REFERENCED U.S. PATENT APPLICATION.

If there are any problems with this transmission or if you have not  
received all of the pages, please call 858.847.6700.

Operator:	Time Sent:	Return Original To: Pridge McDougall
-----------	------------	---

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND  
CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT  
COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED  
RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU  
HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE  
IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY  
TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Cover Page 1 of 1

FOLEY & LARDNER

023.216851.1

Received from < > at 5/30/02 7:38:46 PM [Eastern Daylight Time]

Atty. Dkt. No. EPI3007F  
(formerly TSRI 184.2C2)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hein et al.

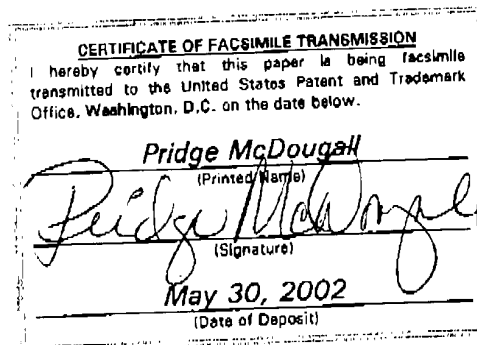
Title: METHOD OF USE OF  
TRANSGENIC PLANT  
EXPRESSED ANTIBODIES  
(as amended)

Appl. No.: 09/491,322

Filing Date: 01/25/2000

Examiner: C. Collins

Art Unit: 1638



**AMENDMENT TRANSMITTAL**

Commissioner for Patents  
Box NON-FEE AMENDMENT  
Washington, D.C. 20231

Sir:

Transmitted herewith is an amendment in the above-identified application.

☒ The fee required for additional claims is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	78	68	10	x \$18.00	\$180.00
Independents:	5	4	1	x \$84.00	\$84.00
First presentation of any Multiple Dependent Claims:				+ \$280.00	\$0.00
CLAIMS FEE TOTAL:					\$264.00

☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

Atty. Dkt. No. EPI3007F  
(formerly TSRI 184.2C2)

<input type="checkbox"/>	Extension for response filed within the first month:	\$110.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$400.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$920.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,440.00	\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$1,960.00	\$0.00
EXTENSION FEE TOTAL:			\$0.00
CLAIMS AND EXTENSION FEE TOTAL:			\$0.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract 1/2 of above):		\$0.00
TOTAL FEE:			\$0.00

- [X] Please charge Deposit Account No. 50-0872 in the amount of \$264.00. A duplicate copy of this transmittal is enclosed.
- [ ] A check in the amount of \$0.00 is enclosed.
- [X] The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date: May 30, 2002

FOLEY & LARDNER  
P.O. Box 80278  
San Diego, California 92138-0278  
Telephone: (858) 847-6722  
Facsimile: (858) 792-6773

By: Barry S. Wilson

Barry S. Wilson  
Attorney for Applicant  
Registration No. 39,431

Atty. Dkt. No.: EPI3007F  
(formerly TSRI 184.2C2)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Hein et al.

Title: METHOD OF USE OF  
TRANSGENIC PLANT  
EXPRESSED ANTIBODIES  
(as amended)

Appl. No.: 09/491,332

Filing Date: 01/25/00

Examiner: C. Collins

Art Unit: 1638

<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b> I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Washington, D.C. on the date below.	
<i>Pridge McDougall</i> (Printed Name)	<i>Pridge McDougall</i> (Signature)
May 30, 2002 (Date of Deposit)	

**AMENDMENT**

Commissioner for Patents  
Washington, D.C. 20231

Sir:

This Amendment follows an Examiner interview conducted on April 25, 2002,  
which followed a supplemental response filed March 13, 2002.

Please amend the application as follows:

**In the Claims:**

Please add new claims 83-91 as follows:

~~83~~. (New) A method of passively immunizing a human or non-human animal  
subject against a preselected antigen, said method comprising:

(a) preparing plant cells containing

(i) nucleotide sequences encoding a dual chain immunoglobulin  
product comprising an immunoglobulin heavy chain and an immunoglobulin  
light chain wherein said nucleotide sequences also encode a leader sequence  
for each of said heavy chain and light chain, and antigen-specific

06/05/2002 GPATHE 00000002 500072 09491322